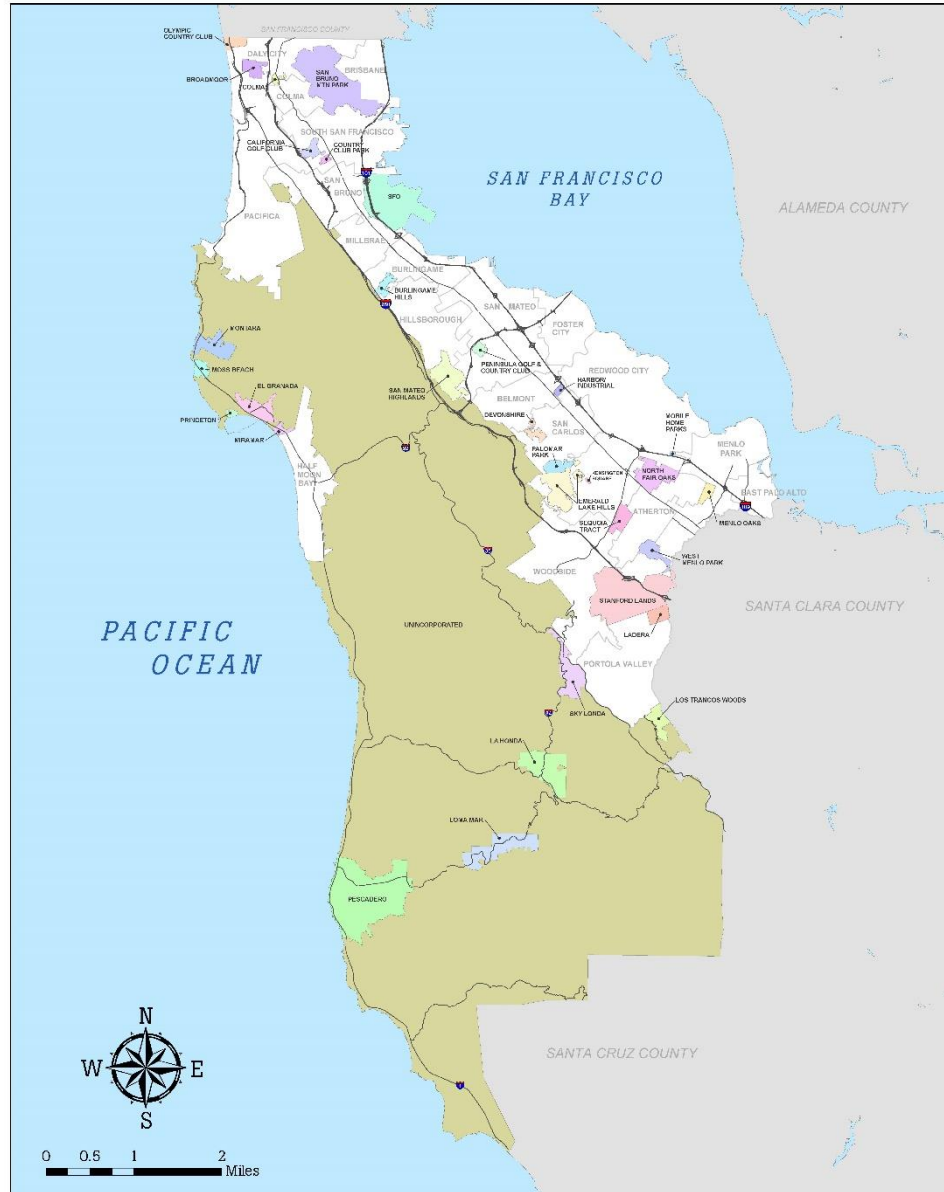


DRAFT CHILD CARE ORDINANCE



North Fair Oaks Community Council
January 28, 2021
County of San Mateo
Camille Leung, Senior Planner



New SMC Child Care Ordinance

Applies to area of County's
Jurisdiction:
Unincorporated Areas of San Mateo
County

- Bayside Areas (Non-Coastal Zone)
- Coastal Zone
- Excludes areas in City Limits

CURRENT REGULATION

- **Small Family Day Care Home** - No Planning permit is required.
- **Large Family Day Care Home** – Ministerial Process (Section 6401.2 of Zoning Regulations)
 - *County Requirements nullified by State Law (SB234) which permits this use outright*
- **Child Care Centers** - No County-wide Regulation
 - I/NFO, C-2/NFO, CMU-3: Use allowed in these North Fair Oaks Districts
 - Residential Zoning Districts: Use Permit required
 - Planned Colma (PC), Neighborhood Mixed Use (NMU), Commercial Mixed Use (CMU): Use Permit required

CHALLENGES FOR CHILD CARE CENTERS WITH CURRENT REGULATIONS

- Great need in the Community
 - 2017 San Mateo County Child Care and Preschool Needs Assessment
 - The largest deficits for child care spaces were found in Burlingame, Redwood City, Daly City, Menlo Park, Montara, and Pacifica.
- Infant/Toddler Spaces
 - Menlo Park (94025) – 37% of demand is met by existing services
- Preschool Spaces
 - Redwood City (94063) – 47% of demand is met by existing services
 - Menlo Park (94025) – 77% of demand is met by existing services

CHALLENGES FOR CHILD CARE CENTERS WITH CURRENT REGULATIONS

- **No County-wide Regulation – Patchwork of regulations**
- **Lack of Clear Regulation/Requirements**
- **Outdated; Conflict with State regulations**
- **Use Permit Process can be costly, time-consuming, and unpredictable**

The overarching goal of the Draft Child Care Ordinance is to ease and incentivize the expansion of child care services within San Mateo County.

GOALS OF NEW ORDINANCE

- **County-wide Regulation** to replace patchwork
- **Clear Regulation/Requirements**
- **Expedite Process for Child Care Centers** under Compatible Conditions
- Provide a program to **authorize existing unpermitted Child Care Facilities**
- Provide Incentives for **Child Centers in Employment Centers and Transit-Oriented Development** to encourage co-location with compatible uses to reduce traffic and parking

SCOPE OF NEW ORDINANCE

New Ministerial Permit process

- Maintains Ministerial Permit for Small and Large Family Day Care Homes
- **Extends Ministerial Permit to Child Care Centers**
 - Based on Exemptions from California Environmental Quality Act review
 - Conversion of Existing Buildings with a Similar Use in terms of purpose, intensity, and parking needs (Institutional, Commercial, Comm/Res Mixed-Use, Public Facility) or a portion of a building with an Existing Compatible use
 - Minor additions
- **Maintains Use Permit process for other projects**
 - Streamlines appeals process and eliminates Use Permit renewal requirement

OVERVIEW OF ORDINANCE



- **PURPOSE**
- **DEFINITIONS**
- **SMALL & LARGE FAMILY CARE HOMES**
 - No Planning Permit required – Permitted Use per State law
- **CHILD CARE CENTERS**
 - Ministerial Permit process
 - Use Permit
- **EXISTING UNPERMITTED FACILITIES**
- **INCENTIVES**
 - Floor Area & Parking Waiver for Eligible Employment Centers
 - Density/Floor Area & Parking Waiver for Eligible Housing Development

BAYSIDE AREAS

■ The adoption of the Ordinance would create a **Ministerial Permit** process for child care centers to be located in areas designated for:

- **Commercial**
- **Institutional**
- **Commercial/Residential Mixed-Use**
- **Single-Family Residential land uses**

■ Properties containing **Existing Institutional Buildings or Public Facilities**, as defined by the Ordinance.

■ Applies to Urban and Rural Areas



SCOPE OF NEW ORDINANCE

- **Use Permit for Child Care Centers**
 - Use Permit Process, Public Hearing
- **Types of Uses requiring a Use Permit**
 - Location in existing or new building in Manufacturing (M-1) Zoning District)
 - New building in Residential zoning district (single- or multiple-family)
 - New building in a Commercial/Residential Mixed-Use Zoning District
 - Addition of greater than 10,000 s.f. to an existing building

**Table 1 - Locational Criteria for Ministerial Permits for Child Care Centers
Outside of the Coastal Zone – NORTH FAIR OAKS**

| Project Types | Ministerial Permit | Use Permit |
|--|--------------------|------------|
| 3. Location of a CCC in an existing building in an Institutional, Commercial, or Commercial/ Residential Mixed-Use Zoning District, including major expansion | | |
| Expansion allowed up to 10,000 sq. ft. square feet in floor area on sites zoned or designated by the General Plan for one of the listed uses | X | |
| Site is served by public utilities and roads | X | |
| Located in Environmentally Sensitive Area or Scenic Corridor --- <i>Not applicable in NFO</i> | | X |

Table 1 - Locational Criteria for Ministerial Permits for Child Care Centers Outside of the Coastal Zone – NORTH FAIR OAKS

| Project Types | Ministerial Permit | Use Permit |
|---|--------------------|------------|
| 4. New CCC building in a Commercial or Institutional Zoning District | | |
| Applies to sites zoned or designated by the General Plan for one of the listed uses | X | |
| New Building up to 10,000 sq. ft. in Urban areas | X | |
| Site is served by public utilities and roads | X | |
| Located in an ESA or Scenic Corridor --- <i>Not applicable in NFO</i> | | X |

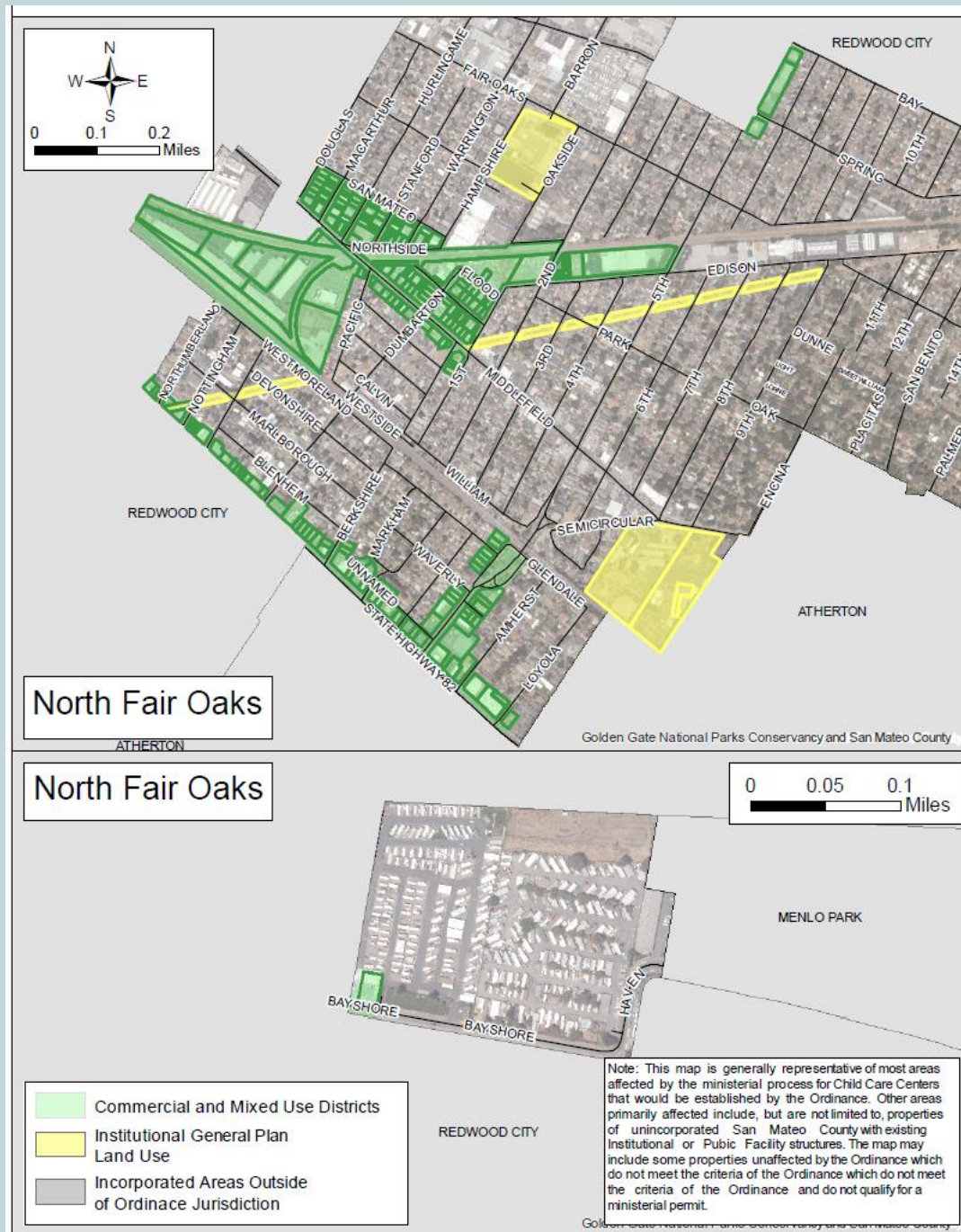
Table 1 - Locational Criteria for Ministerial Permits for Child Care Centers Outside of the Coastal Zone – NORTH FAIR OAKS

| Project Types | Ministerial Permit | Use Permit |
|--|--------------------|------------|
| 5. A CCC involving replacement or reconstruction of an existing building | | |
| The new building must be substantially the same size, purpose, and capacity, on the same site as the building replaced (no limit to size or location), as determined by the Community Development Director | X | |
| Located in an ESA or Scenic Corridor --- <i>Not applicable in NFO</i> | | X |

COMMERCIAL AND INSTITUTIONAL AREAS

Areas where Child Care Centers would likely be allowed with a Ministerial Permit:

- Areas zoned **Commercial** and **Commercial Mixed-Use**
- Areas designated for **Institutional Use**
- Also, properties containing **Existing Institutional Buildings or Public Facilities** (not shown)



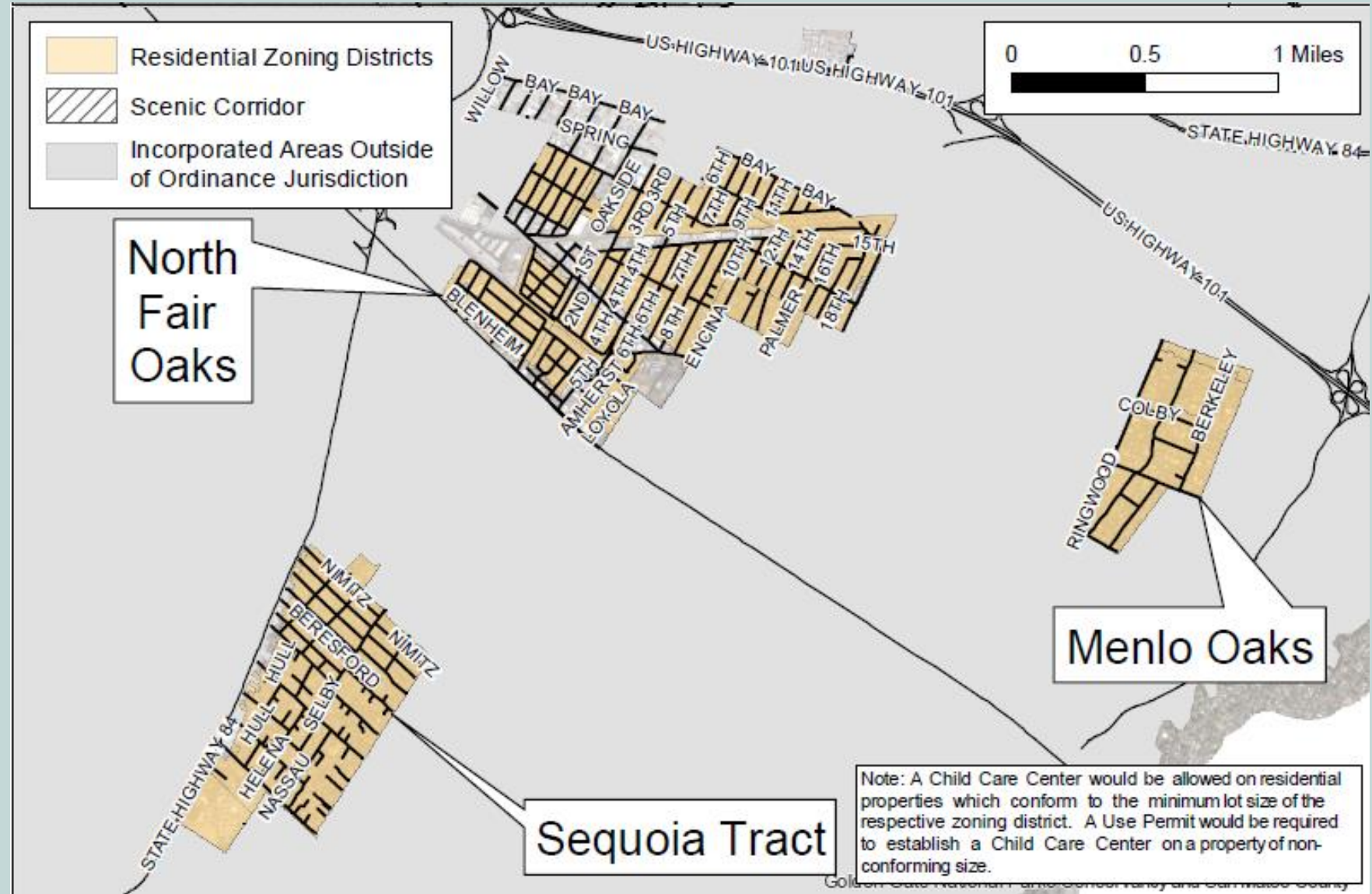
**Table 1 - Locational Criteria for Ministerial Permits for Child Care Centers
Outside of the Coastal Zone – NORTH FAIR OAKS**

| Project Types | Ministerial Permit | Use Permit and CDP |
|--|--------------------|--------------------|
| 1. Conversion of an existing Single-Family Residence or a portion of a Multiple-Family Residential Building to a CCC, including expansion | | |
| Applies to sites in a Residential, Mixed-Use, or Commercial Zoning District and property is <u>of conforming size</u> | X | |
| Parking Requirement Met: provides one on-site parking space per six children enrolled | X | |
| Expansion allowed when compliant with the development standards of the applicable zoning district | X | |

RESIDENTIAL AREAS

Areas where Child Care Centers would likely be allowed with a Ministerial Permit:

- Residential Areas, within an existing building
- Conforming size parcel



HIGHLIGHTS OF ORDINANCE

▪ **REQUIRED PARKING**

- **Non-SFD Conversion:** 1 Parking Space required per 4 Enrolled Children or 3 parking spaces for every 1,000 square feet of Gross Floor Area, whichever is lower
- **SFD Conversion:** 1 Parking Space required per 6 Enrolled Children

▪ **50% PARKING REDUCTION**

- **Accessory, Affiliated Use,** or located within **1/4-mile radius of a Transit Center**
- **Transit Center**
- Walking Distance defined as “1/4 mile radius”; 20 minute headways (instead of 15 min as used in State definition)

▪ **DESIGN REVIEW REQUIREMENTS** apply to conversion of a SFD to CCC

▪ **INCENTIVES**

- State Law: Density Bonus
- Floor Area & Parking Waiver for Eligible Employment Centers
- Density/Floor Area & Parking Waiver for Eligible TOD

PUBLIC ENGAGEMENT



- **NEGATIVE DECLARATION**
 - Public Review Period: November 12 to December 14, 2020
- **RESPONSIBLE AGENCY: CA COASTAL COMMISSION**
 - Presentation on November 30, 2020
- **CHILD CARE PARTNERSHIP COUNCIL, San Mateo County Office of Education**
- **TRANSPORTATION WORKING GROUP, San Mateo County C/CAG**
- **MIDCOAST COMMUNITY COUNCIL**
- **NORTH FAIR OAKS COMMUNITY COUNCIL –**
 - Presentation on January 28, 2021

Upcoming

- **PLANNING COMMISSION – March/April 2021**
- **BOARD OF SUPERVISORS – April/May 2021**

ASSOCIATED ZONING TEXT CHANGES



In addition to adding a new chapter of the Zoning Regulations pertaining to child care centers, this project includes zoning text amendments to clean up chapters of the Zoning Regulations that contain:

- Outdated permit requirements for Small and Large Day Care Homes
- Conflicting definitions child care facility types including centers, and separate permit requirements for child care centers.

Language in I/NFO, C-2/NFO, and CMU-3 zoning districts would be retained which allow child care centers by right.

RECOMMENDED ACTION



That the North Fair Oaks Community Council provide a recommendation to the Planning Commission regarding the **adoption an ordinance** adding the new Chapter 22.2, “Child Care Centers” of the Zoning Regulations, repealing Section 6401.2. (General Provisions Relating to Large Family Day Care Homes), and amending the text of the County Zoning Regulations for various zoning districts, as listed in Attachment D, to reconcile those regulations with the new Ordinance.

THANK YOU

- Ways to Comment:
 - Review and Comment on Negative Declaration
 - Attend Planning Commission and Board of Supervisors Hearings, Coastal Commission Hearing
 - Email Comments



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